

ENCLOSURE 1

INFORMATION REQUEST

This information is requested pursuant to Section 308(a) of the Clean Water Act (CWA) (33 U.S.C. § 1318(a)).

Instructions

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Please provide responses to all the questions in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject you to additional penalties.
2. Submit Supporting Documents. Any documents relied upon or used by you to answer any of the questions in the request must be copied and submitted to EPA with your response. All documents must contain a notation indicating the question they respond to.
3. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out information that may be known to agents or persons that you authorized to act on your behalf. If your responses are qualified in any manner, please explain.
4. Supplemental Information and Notification. If information or documents not known or not available to you as of the date of submission of your response to this request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA of this fact as soon as possible and provide a corrected response.

Questions

1. Sitka Facility
 - a. Describe the nature of Silver Bay's property interest in the facility, including whether Silver Bay owns, leases, or rents the facility, or any part of the facility, and when Silver Bay first acquired its property interest in the facility. If not included in the description of Silver Bay's property interest, include a description and delineation of all the areas of the facility over which Silver Bay exercises control. Provide complete copies of all documents concerning Silver Bay's property interest in the facility, or any part of the facility, including all deeds, titles, easements, lease agreements, rental agreements or licenses.

- b. Provide all available information and correspondence related to the Zone of Deposit (ZOD) at the Sitka facility. Information and correspondence should include but not be limited to:
 - i. Annual anticipated and realized production and discharge amounts since Silver Bay started operation and the basis for the change;
 - ii. All information related to the outfall line including movements, breakages, repairs, and extensions;
 - iii. All monitoring information, including dive surveys and/or benthic assessments;
 - iv. All maps, photographs, and descriptions of the ZOD;
 - v. Methodology for all surveys including the threshold (depth and contiguous/noncontiguous percentage) used for inclusion as part of the ZOD; and
 - vi. If a dive survey has not been conducted at the Sitka facility, provide an explanation of why one has not been conducted.

2. Metlakatla Facility

- a. Describe the nature of Silver Bay's property interest in the facility, including whether Silver Bay owns, leases, or rents the facility, or any part of the facility, and when Silver Bay first acquired its property interest in the facility. If not included in the description of Silver Bay's property interest, include a description and delineation of all the areas of the facility over which Silver Bay exercises control. Provide complete copies of all documents concerning Silver Bay's property interest in the facility, or any part of the facility, including all deeds, titles, easements, lease agreements, rental agreements or licenses.
- b. Describe any profit-sharing agreement between Silver Bay and any other entity. Provide all documents related to such profit-sharing agreement.
- c. Identify the entity and/or person(s) responsible for the operation and maintenance of the infrastructure of the facility (e.g. fish processing, plumbing, lift-station etc.), and identify which entity is responsible for paying for the facility's operation and maintenance.
- d. Provide a detailed description of the facility's sanitary waste system, including but not limited to a description of the facility's sanitary waste piping system and lift-station.
- e. Describe any changes or modifications to the facility's sanitary waste system that have been made since Silver Bay began operating at the facility, including but not limited to the piping system and the lift-station. Provide all documents related to such changes, including cost documentation.
- f. Provide a map or diagram of the facility's sanitary waste system, including but not limited to the facility's sanitary waste piping system and lift-station.

- g. Describe any instances in the past five years in which Silver Bay was made aware, through inspections, complaints, or otherwise, of potential discharges of untreated sanitary waste from the facility into Chester Bay or other United States waterways.
- h. Provide all available information and correspondence related to the ZOD at the Metlakatla facility. Information and correspondence should include but not be limited to:
 - i. Annual anticipated and realized production and discharge amounts since Silver Bay started operation and the basis for the change;
 - ii. All information related to the outfall line including movements, breakages, repairs, and extensions;
 - iii. All monitoring information, including dive surveys and survey dates;
 - iv. All maps, photographs, and descriptions of the ZOD;
 - v. Methodology for all dive surveys including the threshold (depth and contiguous/noncontiguous percentage) used for inclusion as part of the ZOD; and
 - vi. If a dive survey has not been conducted at the Metlakatla facility, provide an explanation of why one has not been conducted.

ENCLOSURE 2

STATEMENT OF CERTIFICATION

I certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Title)

(Date)